

FRAMEWORK FOR COOPERATION BETWEEN THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST AND THE UNITED STATES OF AMERICA FOR 2015

I. Introduction

This Framework for Cooperation sets forth understandings between the United Nations Relief and Works Agency for Palestine Refugees in the Near East (hereinafter referred to as “UNRWA”) and the United States of America (hereinafter referred to as “the United States” or “U.S.”). The United States and UNRWA have been working in formal partnership through a Framework for Cooperation since 2005 to provide humanitarian assistance to UNRWA’s beneficiaries in accordance with its mandate as approved by the United Nations General Assembly. The United States and UNRWA review their Framework for Cooperation annually to advance shared objectives. It is understood that this document, in its entirety, constitutes policy commitments by UNRWA and the United States, and is therefore not intended to be legally binding.

II. Shared Goals and Priorities

UNRWA was established in 1949 to provide temporary support to Palestinian refugees. It operates in Jordan, Lebanon, Syria, the West Bank, and Gaza Strip on a budget mostly financed by voluntary contributions, and employs more than 30,000 staff to provide education, primary health care, relief and social services, and other assistance to Palestinian refugees in its area of operations. In the 64 years since its inception, the number of registered Palestinian refugees and others assisted by UNRWA in its five operating fields has increased through natural population growth to more than 5.4 million persons.

Assisting vulnerable populations through effective provision of humanitarian assistance is a key element of U.S. foreign policy. The United States provides humanitarian assistance on the basis of need according to principles of universality, impartiality, and human dignity, and recognizes that provision of assistance requires an integrated, coordinated, and multi-sectoral approach between UNRWA and all its donors to be most effective. All U.S. foreign assistance programs are required to demonstrate performance and accountability, and clearly link programming and funding directly to U.S. policy goals.

The goal of U.S. support to UNRWA is to ensure that Palestinian refugees live in dignity with an enhanced human development potential until a comprehensive and just solution is secured. These objectives match UNRWA’s ongoing goals to:

- Address the needs of Palestinian refugees through the provision of basic education, health, relief and social services, microcredit, camp improvement and infrastructure and other assistance; and
- Promote the human development of Palestinian refugees by improving living conditions, economic potential, livelihoods, access, and human rights.

The United States commends UNRWA for its work to provide core services to Palestinian refugees for over six decades, which has often required UNRWA to work during periods of conflict. The United States also appreciates UNRWA’s ongoing strategic planning efforts given the highly volatile political environment, unpredictable funding, and other unforeseen circumstances that often pose challenges to the effective fulfillment of UNRWA’s mandate. The

United States strongly supports UNRWA's efforts to meet those challenges through the following initiatives:

- Implementation of the 15 objectives of the Medium Term Strategy (MTS) for 2010-2015, particularly the commitment to improve the quality of core services and accountability in the face of growing budget shortfalls;
- Finalization of the next MTS for 2016-2021 through a consultative process that would allow the MTS to address issues of sustainable service delivery and budget planning;
- Development of Strategic Response Plans for each of UNRWA's five fields of operation through a consultative process that ensures alignment with the objectives and principles established in the MTS for 2016-2021 and addresses issues of sustainable service delivery and budget planning;
- Increased attention to reducing chronic budget shortfalls and addressing the sustainability of UNRWA's budget through exploring opportunities for program efficiencies and improved identification and targeting of vulnerable beneficiaries while maintaining quality of services and providing critical services for the most vulnerable refugees; and resource mobilization efforts, including diversification of the donor base; and
- Strengthening engagement with key stakeholders, including donors, host countries and authorities, and Palestinian refugees.

III. Implementation of Key UNRWA Reforms and Related Initiatives

In recent years, UNRWA has implemented significant reform initiatives to improve management capacity, increase program quality and efficiency, and increase financial accountability. UNRWA has realized significant achievements in these efforts, notably in the roll-out of major health reforms including the family health team approach, development of a policy framework and toolkit to guide UNRWA's Human Rights, Conflict Resolution, and Tolerance curriculum in UNRWA classrooms, transition of financial accounting for compliance with International Public Sector Accounting Standards, continued implementation of 36 United Nations Board of Auditors (UNBOA) audit recommendations for the 2010-2011 biennium, harmonization of emergency and non-emergency assistance within and between certain fields to ensure equitable and sustainable assistance for the most vulnerable refugees, reorientation of the West Bank Emergency Appeal to better meet human development goals, and release of the harmonized UNRWA Results Reports, which have improved the quality and consistency of performance information provided to donors.

Implementation of UNRWA's reform initiatives is expected to continue in 2015. In support of these efforts, the United States and UNRWA identify the following strategic objectives for 2015:

- Continued implementation of ongoing management reforms, particularly in the areas of results-based management, resource mobilization, human resources, transition to and management of a new enterprise resource planning (ERP) data management system, and internal communications;
- Continued implementation of UNRWA's programmatic reforms in the health and education sectors and commitment towards reform in relief and social services sectors to improve program effectiveness and efficiencies, with consideration of the associated costs of these reforms;
- Continued harmonization of emergency and non-emergency assistance within and between fields, including in relation to the Emergency Appeals for the West Bank and Gaza, Nahr al Bared Relief, and Syria;

- Continued progress toward increased budget clarity and improved targeting and prioritization to improve donor understanding of UNRWA's budgeting process and to identify efficiencies in the delivery of services to the most vulnerable beneficiaries;
- Continued progress towards the full implementation of all UNBOA recommendations from 2010-2013;
- Continued efforts to ensure adherence to principles of neutrality and to strengthen Department of Internal Oversight Services (DIOS) support to field investigations to enhance investigative capability and quality;
- Continued engagement with relevant UN entities to refine protocols to maintain neutrality of facilities during active conflict; and
- Continued efforts to ensure inclusion of gender and disability considerations in program design and implementation, particularly in UNRWA's emergence response programming.

IV. Conformance with Section 301(c)

The United States appreciates its ongoing close consultation with UNRWA regarding section 301(c) of the Foreign Assistance Act of 1961, as amended (hereinafter referred to as "section 301(c)"), which states: "No contributions by the United States shall be made to (UNRWA) except on the condition that (UNRWA) take all possible measures to assure that no part of the United States contribution shall be used to furnish assistance to any refugee who is receiving military training as a member of the so-called Palestine Liberation Army or any other guerilla-type organization or who has engaged in any act of terrorism."

UNRWA is committed to taking all possible measures in conformance with conditions on U.S. contributions to UNRWA pursuant to section 301(c). The United States expects UNRWA to maintain constant vigilance in its efforts and actions to fully meet the conditions on U.S. contributions as described in section 301(c).

The United States and UNRWA share concerns about the threat of terrorism, including within the context of the United Nation's firm commitment to counter terrorism and the conditions on U.S. contributions to UNRWA under section 301(c). To this end, UNRWA is committed to taking all possible measures to ensure that funding provided by the United States to support UNRWA is not used to provide assistance to, or otherwise support, terrorists or terrorist organizations.

The United States and UNRWA intend to continue to work together throughout 2015 to enhance collaboration and communication on issues related to conformance with conditions on U.S. contributions to UNRWA as detailed in section 301(c). The United States supports UNRWA's policy to take all possible measures to ensure that staff members understand and fulfill their obligations, under Agency Rules and Regulations, to refrain from prohibited outside activities.

The United States and UNRWA confirm that the Department of State plans to use the activities set forth in Annex 1 of this Framework as a way to evaluate UNRWA's conformance with the conditions on U.S. contributions to UNRWA set out in section 301(c). The United States intends to use in its evaluation of UNRWA's completion of the Annex 1 activities information provided by UNRWA every six months regarding actions taken by the organization to ensure conformance with conditions on U.S. contributions to UNRWA, pursuant to section 301(c), and other related issues.

The United States continues to support activities and programs that improve UNRWA's capacity to conform to U.S. funding conditions pursuant to section 301(c). In particular, the United States

believes that the Operations Support Officer (OSO) programs in the West Bank, Gaza Strip, Jordan, and Lebanon, and the Area Support Officer (ASO) program in Syria are essential in helping ensure the neutrality of UNRWA facilities and reiterates its intention to continue supporting these programs, subject to the availability of funding. UNRWA OSOs are expected to implement four formal inspections of each UNRWA facility per year in the West Bank, Gaza Strip, Jordan, and Lebanon. Senior UNRWA staff will inspect accessible installations in Syria. It is noted that until the security situation in Syria improves, installation inspections in Syria are expected to remain limited.

The United States notes with appreciation efforts taken by UNRWA during the course of 2014 to strengthen the Agency's neutrality compliance, including but not limited to the development of social media guidelines for official UNRWA communications, the development of the OSO program in Jordan the revised security procedures and OSO inspections in response to the crisis in Gaza, and the additional training and support for field-based investigators.

The United States and UNRWA should continue to consult on other means of supporting the neutrality of UNRWA's staff, facilities, and operations, including implementation of neutrality-related recommendations outlined in UNRWA's internal auditing processes.

V. Monitoring, Evaluation, and Performance Measures

The United States supports UNRWA's efforts to develop a results-based monitoring system to improve the quality and consistency of UNRWA reporting and to develop a platform that enables UNRWA to better manage its programs and projects to achieve intended results as outlined in the 2010-2015 MTS and relevant biennium plans.

In 2015, UNRWA should continue to strengthen its monitoring and evaluation and internal oversight functions for the effective oversight of UNRWA programs.

The United States commends UNRWA for the development and release of the harmonized UNRWA Results Report, now in its fourth year, and appreciates the ongoing consultative implementation of this initiative, which ensures that donors' programmatic reporting requirements dovetail with performance measures monitored and consolidated at an organizational level, based on UNRWA's biennium plans. The United States and UNRWA remain committed to working with other donors to further refine the Results Report.

The United States welcomes UNRWA's consolidated donor reports for funding to its Emergency Appeals and looks forward to continued active consultation on the contents thereof to ensure donors' reporting requirements are met.

In addition, UNRWA is committed to providing continued financial oversight so that U.S. funds are expended in a manner consistent with U.S. contribution letters.

The United States recognizes that UNRWA works in a highly volatile environment where political and military actions frequently place constraints on the delivery of its services. Furthermore, UNRWA is dependent for the majority of its funding on voluntary contributions provided by UN member states – contributions which fluctuate beyond UNRWA's control. Therefore, it is important that UNRWA's performance against identified indicators be reviewed in light of constraints imposed by the operating environment and funding made available to UNRWA.

VI. Reporting

The United States appreciates UNRWA's commitment to provide consistent and detailed reporting on the use of U.S. funding, especially given the importance of these data for shaping evidence-based policies and programs and the need to satisfy U.S. reporting requirements in 2015.

- Reflecting the principles of Good Humanitarian Donorship, the United States believes that—with exceptions noted below—UNRWA's standardized reporting as included in the UNRWA Results Report would satisfy the majority of U.S. reporting requirements for 2015. The UNRWA Results Report is requested by March 31, 2016, on efforts and results as of December 31, 2015.
- UNRWA is expected to provide to the United States a semi-annual report on actions taken regarding its conformance with conditions on U.S. funding of UNRWA pursuant to section 301(c), as referred to in section IV.
- The United States continues to take particular interest in UNRWA's management reform efforts. As a reflection of UNRWA's and the United States' mutual understanding that organizational reform is an integral part of UNRWA's overall performance, UNRWA has integrated organizational reform milestones into its Results Report. Organizational reform indicators of particular interest to the United States are included in Annex 2; reporting against these indicators is requested in conjunction with the UNRWA Results Report.
- In relation to U.S. contributions to UNRWA's West Bank, the Gaza Strip, Lebanon, and Syria Emergency Appeals, UNRWA is expected to provide two semi-annual consolidated reports outlining results achieved. In addition, UNRWA is expected to provide a tailored financial update on U.S. funding to the Emergency Appeals on a quarterly basis with specific reference to how U.S. funds were expended.
- In addition, UNRWA is expected to report on U.S.-funded reconstruction projects in the Gaza Strip and U.S.-funded special projects as stipulated by the U.S.-approved project proposals, typically every six months, in April and October.
- For purposes of U.S. reporting requirements, UNRWA is also expected to provide relevant information pertaining to its implementation of UNBOA recommendations and, in accordance with UN and/or UNRWA procedures and policies, required data for U.S. reporting against the United Nations Transparency and Accounting Initiative (UNTAI).

VII. Continued Support

The United States is committed to continuing its partnership with UNRWA to assist the more than 5.4 million registered Palestinian refugees and other registered persons assisted by UNRWA until a just solution is achieved and UNRWA's mandate ends.

Recognizing the need for early and predictable funding, the United States should endeavor to provide a significant contribution to UNRWA for its 2015 core programs early in the 2015 calendar year. Subject to the availability of funds, the United States endeavors to provide 18-20 percent of General Fund budget requirements.

Subject to the availability of funds, the United States aims to contribute to UNRWA needs as articulated in its Emergency Appeals for the West Bank and the Gaza Strip and Nahr al Bared relief appeals. The United States also should strive to provide funding for UNRWA's Syria Humanitarian Response Plan appeal.

Subject to the availability of funds, the United States aims to continue to provide funding for humanitarian reconstruction projects in the Gaza Strip.

In addition, subject to the availability of funds, the United States intends to continue support for selected special projects mutually identified by the United States and UNRWA, including continued support for UNRWA's human rights, conflict resolution, and tolerance education program in all five fields and continued support for the OSO programs in the West Bank, the Gaza Strip, Jordan, and Lebanon.

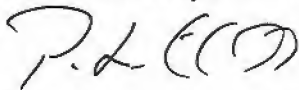
VIII. Communications and Consultations

In pursuit of meeting the goals and achieving the results articulated under this Framework, the United States and UNRWA remain committed to continuous information sharing and cooperation at all levels. UNRWA colleagues should work closely with the PRM Refugee Coordinator based in Jerusalem and other U.S. Embassy and Consulate-based staff in its five fields of operations to inform the United States of developments on the ground and to communicate achievements and challenges throughout the year. UNRWA's Representative Office in Washington serves as the liaison with the Department of State, Washington, DC. UNRWA's Representative Office in New York serves as the liaison to the U.S. Mission to the United Nations in New York.

The United States expects to remain an active participant in UNRWA's Advisory Commission, which meets twice per year, and should endeavor to provide advice and guidance to UNRWA through its engagement at meetings of the Advisory Commission. In 2015, the United States is expected to serve as Vice-Chair of the Sub-Committee to the Advisory Commission and endeavors to provide leadership and support to the Sub-Committee in its capacity as a technical advisory group to the Advisory Commission.

The United States and UNRWA should regularly consult bilaterally on policy and program issues identified in this Framework.

Signed on the 17th day of November 2014.



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Annexes:

Annex 1: Activities related to Conformance with U.S. Funding Conditions in Under Section 301(c) of the Foreign Assistance Act, as amended

Annex 2: Organizational Reform Milestones

ANNEX 1:
ACTIVITIES RELATED TO CONFORMANCE WITH U.S. FUNDING CONDITIONS
PURSUANT TO SECTION 301(C) OF THE 1961 FOREIGN ASSISTANCE ACT, AS AMENDED

	Yes	No	Notes
<i>General</i>			
1. Commitment by the Agency to conform to, consistent with UN resolutions and rules, conditions on U.S. contributions as outlined in funding agreements with the U.S. Department of State.			
2. Five meetings every six months between UNRWA and relevant State Department officials in which section 301(c)-related issues are discussed.			
3. Written communication between UNRWA and relevant State Department officials on section 301(c)-related issues.			
<i>Neutrality of staff/personnel</i>			
4. Checks conducted and documented of all UNRWA staff against the UN 1267/1989 Sanctions Committee's list as well as the UN 1988 Sanctions Committee's list once every six months.			
5. Provision of lists of UNRWA staff members to host governments, the Palestinian Authority, Egypt and Israel on an annual basis and other UN member states upon request.			
6. Communication to staff about appropriate behavior consistent with UNRWA's neutrality rules/regulations at least once every year per each of UNRWA's five fields of operation.			
7. Prompt initiation of investigations upon receipt of credible information about alleged staff/personnel misconduct.			
8. Immediate efforts taken to seek information from host countries and other authorities when staff are detained/convicted, etc.			

<i>Neutrality of beneficiaries</i>			
9. Checks conducted and documented of registered Palestinian refugees and other registered beneficiaries against the UN 1267/1989 Sanctions Committee's list as well as the UN 1988 Sanctions Committee's list every six months.			
10. Conduct of verifications and investigations, as appropriate, upon receipt of credible information about alleged beneficiary conduct of concern and denial of certain forms of service/benefits, when appropriate.			
<i>Neutrality of facilities</i>			
11. Inspection of each UNRWA facility in the West Bank, Gaza Strip, and Lebanon at least twice every six months by UNRWA Operations Support Officers to ensure appropriate use. Inspection of UNRWA installations in Jordan and Syria by senior UNRWA staff.			
12. Immediate investigation of incidents of misuse of facilities and immediate steps taken to assure non-recurrence, including, in appropriate cases, through seeking third party assistance.			
<i>Neutrality of non-state donors</i>			
13. Checks conducted and documented of all contractors, vendors, and non-state donors against the UN 1267/1989 Sanctions Committee's list as well as the UN 1988 Sanctions Committee's list every six months.			
14. Inclusion of all appropriate Agency neutrality clauses in Agency contracts, with mechanisms to respond to non-compliance with neutrality clauses, as appropriate.			
15. Accurate, complete, and timely details of UNRWA procurement contracts of aggregate annual value greater than \$100,000 are made publicly available one month after the end of each quarter. Entries are based on consistent use of vendor's names.			

ANNEX 2: ORGANIZATIONAL REFORM MILESTONES

UNRWA has integrated organizational reform milestones into its Results Report. The organizational reform indicators listed below are highlighted here as being of particular interest to the United States.

Proposed Milestone	Proposed Target (2015)
2014 Harmonized Results Report includes indicators of cost efficiency and effectiveness.	April 2015
2014 annual reports of UNRWA emergency activities (Gaza/West Bank and Syria) issued.	April 2015
MTS and UNRWA Strategic Response Plans finalized in accordance with AdCom recommendations and the recommendations of the 2012 mid-term evaluation of the MTS.	June 2015
Evaluation of UNRWA resource mobilization strategy (RMS) completed.	June 2015
New RMS presented to the AdCom.	November 2015